

Township of South Hackensack
County of Bergen, New Jersey
March 9, 2006 7:30 P.M.
Regular Meeting
MINUTES

Robyn Scholz, MayorPresent
Lucindo A. LoPiccolo, Jr., Deputy Mayor.....Present
James AnzevinoPresent
Gary BruggerPresent
Walter Eckel, Jr.....Present

Also present:
David V. Nasta, Esq., Municipal Attorney
John M. Carbone, Esq., Special Counsel - Litigation
Mary Terraccino, Deputy Municipal Clerk

Call of Meeting to Order

Mayor Scholz called the Special Meeting to order at 7:04 p.m. She advised that pursuant to the Open Public Meetings Act adequate notice of the meetings had been provided to The Record, The Herald and News and by posting a notice on the bulletin board in the clerk's office where notices are customarily posted. Everyone saluted the flag. The municipal clerk called the role.

Correspondence

Brugger motioned; Anzevino seconded to accept with regret the correspondence dated January 8, 2006 from the South Hackensack Fire Department with regards to the acceptance of resignations for Robert Chinchar, Robert Czarnecki, and ToniLee Sangastiano. All in favor.

David Nasta will send a letter to Frank Guirleo with regards to the correspondence dated January 8, 2006 from the South Hackensack Fire Department asking for his resignation letter.

Anzevino motioned; Eckel seconded to accept the correspondence dated March 3, 2006 from the Mid Bergen Regional Health Commission with regards to the replacement of Mark Stabile the Health Officer with Martha Rogalski effective March 6, 2006 and place it on file. All in favor.

Anzevino motioned; Brugger seconded to refer the letter dated March 1, 2006 from Robert F. Layton with the Bergen County Board of Taxation be discussed in closed session. All in favor.

Brugger motioned; Eckel seconded to accept the Correspondence and Reports for February 2006. All in favor.

Old Business

Entertainment License Hearing

Lighthouse Restaurant Services, Inc. (t/a LACE)

Ira Weiner was present to represent Lighthouse. He requested testimony from Robert Kaiser. Nasta informed Weiner that he was to be prepared to present his witnesses and documents. Weiner was also informed to read the sections of Chapter 104 that pertain to the Ordinances for Entertainment. Nasta informed him to proceed with witnesses, evidence, or arguments. Weiner informed the Committee that he only had arguments.

Weiner argued the summonses issued for the BYOB sign. Weiner advised the Committee that the sign speaks the truth and that it advises the consumer. He stated that there is a settlement agreement with the Township that allows them to have BYOB. Weiner claimed that this is unconstitutional and violates the First Amendment with regards to freedom of speech. James Macagna, the president of LACE has been sent letters that the Entertainment license is in jeopardy. Nasta informed the Committee that there have been several correspondences with regards to this issue between him and Mr. Weiner. The Committee has to make a decision on whether or not the Entertainment License should be renewed.

Anzevino motioned; Brugger seconded to **deny Lighthouse Restaurant Services, Inc. (t/a LACE) the renewal of their Entertainment License for 2006** citing section Chapter 104-1.1 and 104-2-E(4) of the Code Book of the Township of South Hackensack.

Roll Call Vote: Ayes: Anzevino, Brugger, Eckel, LoPiccolo, Scholz

Weiner inquired if LACE could continue to operate for the night. Nasta informed him that they could complete tonight and that the entertainment would cease starting tomorrow on March 10, 2006.

New Business

Ordinances

ORDINANCE NO. 2006-02

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 40 OF THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED "OFFICERS AND EMPLOYEES"

Nasta informed the Committee that the psychological examination was removed and that this was not a significant change to the ordinance and that the Committee should proceed.

Eckel motioned; Brugger seconded to open the public hearing on Ordinance 2006-02. All in favor.

Gene Roman inquired about the over-time in the Police Department for 2005 and the job notice for Police Chief and not for the Captain or Sergeants position. Gene felt that Chief Frew is not getting the cooperation of the men because of the Township's decision on hiring.

Montenegro also questioned why there was so much over-time for the Police in 2005.

Anzevino stated that the Committee is taking measures to curtail the over-time. The Committee met with Mike Frew for his suggestions on the over-time. Anzevino also stated that it is not uncharacteristic to fill the positions in the police department according to qualifications. Brugger stated that he would not accept the opinion of Roman that this is the way the Police Department is retaliating against the Township Committee for the actions that were taken. Brugger indicated that Chief Frew had not stated this in any way to the Township Committee during any meeting with him. Brugger backed up the Police Department by indicating that the police officers are not doing this to retaliate. Scholz indicated that this is no time for a debate. Scholz agreed that the over-time was very high and that the Committee had been in contact with the new Police Chief, Mike Frew, and that recommendations were made to rectify the problem. Dispatchers will help to reduce the over-time and to increase the safety of our citizens. Scholz stated that everyone is entitled to their opinions.

Roman wanted to inform the public that he did not use the word retaliate. He indicated that he used the word cooperation. Eckel stated that the department worked on a shortage of man power and that the over-time was given out evenly.

Lonnie Bedell wanted it on record that retaliation came from Mr. Brugger and not Gene Roman.

Anzevino motioned; LoPiccolo seconded to close the public hearing on Ordinance 2006-02. All in favor.

Anzevino motioned; Eckel seconded to adopt Ordinance 2006-02 and advertise its adoption as prescribed by law. Roll Call Vote: Ayes: Anzevino, Brugger, Eckel, LoPiccolo, Scholz

**ORDINANCE NO. 2006- 03
AN ORDINANCE VACATING CERTAIN REAL PROPERTY KNOWN ON THE
TAX ASSESSMENT MAP AS BLOCK 59.01 LOT 1.01**

Anzevino motioned; LoPiccolo seconded to open the public hearing on Ordinance 2006-03. All in favor.

Since there were no public comments, Eckel motioned; Brugger seconded to close the public hearing on Ordinance 2006-03. All in favor.

Eckel motioned; Anzevino seconded to adopt Ordinance 2006-03 and advertise its adoption as prescribed by law. Roll Call Vote: Ayes: Anzevino, Brugger, Eckel, Scholz and LoPiccolo abstained.

**ORDINANCE NO. 2006-04
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 113 OF
THE CODE OF THE TOWNSHIP OF SOUTH HACKENSACK ENTITLED
“FLOOD DAMAGE PREVENTION”**

Brugger motioned; Anzevino seconded to Introduce Ordinance 2006-04 and set the date for public hearing as April 13, 2006. Roll Call Vote: Ayes: Anzevino, Brugger, Eckel, LoPiccolo, Scholz

Resolutions

Consent Agenda Resolution No. 2006-03
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Offered: Anzevino

Second: LoPiccolo

Roll Call Vote: Ayes: Anzevino, Brugger, Eckel, LoPiccolo, Scholz

Committee Reports

Eckel spoke with Larry Paladino about the graffiti at the park and other areas. Nasta reported that upon Eckels request he drafted a Grafitti Ordinance and the Committee should review this for introduction at the April meeting.

Anzevino would like to meet with David Nasta and Chief Riley to review the legalities of people outside the town volunteering for the Fire Department at the April worksession. Anzevino thanked the seniors for allowing the cheerleaders from Memorial School to practice in their room. A Volunteer Dinner should be planned for the end of April. Anzevino will look into the Empire Club. Mr. Connery will be here at the worksession on April 6, 2006 to review a Tree Ordinance. O'Donnell & McNerny will be present at the Regular meeting on April 13, 2006 to go over the tax appeals in closed session that will also tie in with the revaluation.

Brugger suggested that the Township Committee adopt the resolution suggested by McNerny for the proposed cuts and formula change for the CDBG funds and send it out to the officials indicated in the letter. Brugger, Frew and Terraccino reviewed over 20 applications for the dispatcher position. Criminal background checks are being conducted at this time on five prospective applicants. The dispatchers will be hired as part-timers for the weekends. Brugger congratulated Vinnne Riotto and Domenick Mea for their life saving respond to Mr. Gessari from Phillips Avenue. He wished V. Riotto a speedy recovery. The Livable Communities Grants for FY 2004 and 2005 have been extended. Tom Yannetti is getting quotes at this time for park improvements.

LoPiccolo reported that the Senior Housing Survey is now completed, a deadline date will be added and it will be sent out the middle of next week to all the residents with self-addressed envelopes.

Scholz requested from the Committee to have a Special Meeting on March 20, 2006 at 8:30 to introduce the Budget and any other items necessary. Scholz thanked Gary and Mike Frew in their efforts in moving forward as quickly as possible to review and appoint the dispatchers. Scholz felt that this will be a big help with the over-time in that department. The NJ Permit state software requires adequate equipment and asked the committee to use some of the funds from the NJMC grant of \$75,000 to purchase this equipment. At this time there was no cost provided. Linda has the requirements for this program and this should be discussed at the special meeting. Scholz felt that this will help for better record keeping in that department. Scholz thanked Loretta and Terrie for their efforts in putting the budget together. Scholz indicated that both developers had responded in writing with regards to the Senior Housing Project.

Anzevino reported that Kopec's proposal from 905creative is to create a website for the township. Phase I was proposed at \$5000 and the total package will be around \$15,000. Phase I will use up the grant from Meadowlands. His support will be one hour a week, in total four hours a month and \$80 an hour after the four hours. Site host and content maintenance will be \$350 per month.

Anzevino motioned; LoPiccolo seconded to authorize \$5000 for Phase I of the 905creative proposal for a website.

Roll Call Vote: Ayes: Anzevino, Brugger, Eckel, LoPiccolo, Scholz

Robyn requested that a sub-committee be formed to help with the creation of the website. Robyn and Lou volunteered to be on this committee.

Scholz motioned; Eckel seconded to open the meeting to the public. All in favor.

Larry Paladino – Reported on a request for an oil tank at a cost of \$1500. He thanked the police department, the residents, and the DPW crew for all their help and long hours during the snow storm.

Mike Frew – Thanked Larry and his men for their efforts during the snow storm. He recognized Mea and Riotto for their life saving. He recognized Det.Sgt. Kaiser for catching the people that created the graffiti. He recognized Det./Sgt Licamara while on loan at the prosecutors office that he helped to seize over 9 million dollars- 80 kilos of cocaine. Frew informed the residents that the police department has a website – www.southhackensack.pd.com. \$6000 was received for a confiscated motorcycle and the one car seized on the computer crimes is worth about \$4000. With regards to the dispatch center, the new radios have been installed. He inquired again with the Township Committee for a piece of property in town where a recreation center could be built at no cost. The town just needs to supply the property. This is a very generous offer that the committee will keep in mind.

Gene Roman - He commended Larry Paladino and Mike Frew for all their efforts within each department. He questioned the Committee as to why the contracts for each of these men have not been settled. Scholz responded that the DPW contract has been resolved pending paper work. Mr. Paladino is in the process of his contract negotiations. Roman

questioned the police chief contract. Anzevino stated that they waited to hear from the bargaining units and the Chief was only appointed in July. Anzevino stated that Larry wanted to wait until after the DPW contract was settled. Brugger added that the negotiations have been moving ahead. Scholz indicated that the contracts will now be negotiated at different years and not all at once. Gene questioned how the over-time is given out in the Police Department. Eckel responded with whatever is in the contract. Brugger said that the old contract police over-time should have been given out fairly and it was not adhered to. This created the start of an over-time list. Roman stated that the county could possibly provide dispatcher service on an emergency basis. Scholz indicated that our goal here is to reduce the over-time for the police department in the best interest of the people.

Sophie Czarnecki – Inquired if the dispatchers are local people. Brugger indicated that there was a good response with people from various towns.

Dolly Montenegro – Inquired about the advertising of dispatcher positions. She suggested the property behind Kilgallon's house for a piece of property for a recreation center. Life Line will be here on March 31, 2006 and asked if they could use the court room for any over flow of people on that day. Committee responded in favor. She would like the town to reject the letter for revaluation. All other towns in the Empire Tract received money. She inquired about the re-hiring of the deputy court clerk with a salary increase. Scholz informed her that the increase of hours and pay were all at the recommendation of Judge Gregg Padovano.

Larry Paladino – Informed the Committee with his concerns of the Stormwater Regulations with regards to the DPW building. He feels that we will sustain some fines if they are not in compliance. Still waiting on the survey of the property.

Scholz motioned; LoPiccolo seconded to close the public hearing. All in favor.
Anzevino motioned; Scholz seconded for a ten minute recess. All in favor.

Resolution No. 2006-073

At 9:25 p.m. Brugger motioned; Scholz seconded to go into closed session. All in favor.
At 10: 23 p.m. Anzevino motioned; Eckel seconded to re-open the meeting. All in favor.

Anzevino motioned; Eckel seconded to approve David Nasta's voucher of \$12,059.
Roll Call Vote: Ayes: Anzevino, Brugger, Eckel, Scholz Nays: LoPiccolo

At 10:24 p.m. Brugger motioned; Scholz seconded to adjourn. All in favor.

Respectfully Submitted,

Mary Terraccino
Deputy Clerk

Consent Resolution No. 2006-03

WHEREAS, the Township Committee of the Township of South Hackensack, has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Township Committee of the Township of South Hackensack is/is not desirous of removing a resolution from the consent agenda,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of South Hackensack that the following resolutions on the Consent Agenda are hereby approved and adopted:

Resolution No. 2006-064 Temporary Budget Amendment

Resolution No. 2006-065 Appoint Maser Consulting P.A. Redevelopment Study

Resolution No. 2006-066 Transfer Appropriations (2005 Budget Reserve)

Resolution No. 2006-067 Approve Minutes

Resolution No. 2006-068 Adopting Personnel Policies and Procedures

Resolution No. 2006-069 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF SOUTH HACKENSACK, IN THE COUNTY OF BERGEN, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE TOWNSHIP OF SOUTH HACKENSACK AND AUTHORIZING THE MAYOR, TOWNSHIP CLERK, TOWNSHIP TREASURER, CHIEF FINANCIAL OFFICER AND OTHER TOWNSHIP OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$1,479,970 BOND ANTICIPATION NOTE, DATED MARCH 3, 2006 AND PAYABLE MARCH 2, 2007 AS A "QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265(B)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

Resolution No. 2006-070 Authorize Agreement Green Street – AJM Contracting Co.

Resolution No. 2006-071 State Tax Court Appeal Refund Block 3, Lot 23.01 for 2004 and 2005

Resolution No. 2006-072 Bills List -- \$2,710,534.75

Resolution No. 2006-074 Licenses March

Offered: Anzevino

Second: LoPiccolo

Roll Call Vote: Ayes: Anzevino, Brugger, Eckel, LoPiccolo, Scholz

Date: March 9, 2006

Resolution No. 2006-064 Temporary Budget Amendment

WHEREAS, an emergent Condition has arisen with respect to current fund

appropriations (see list below) and

WHEREAS, no adequate provision has been made in the 2006 temporary budget for the aforesaid purpose, and NJSA 40A: 4-20, provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2006 pursuant to the provision of Chapter 96, P.S. 1951 (N.J.S.A.40A: 4-20) including this resolution total \$2,324,857.55

NOW, THEREFORE, BE IT RESOLVED (not less than two thirds of all members thereof affirmatively concurring) that in accordance with the provision of N.J.S.A.40A: 4-20:

1. An emergency temporary appropriation be and the same is hereby made for

Operations included in "CAPS"

Township of South Hackensack

2006 Temporary Budget

Mayor & Council

Salaries & Wages	9,950.00
Other Expenses	1,000.00

Municipal Clerk

Salaries & Wages	58,700.00
Other Expenses	5,400.00

Finance

Salaries & Wages	36,000.00
Other Expenses	5,000.00

Audit

Rev Admin

Salaries & Wages	25,000.00
Other Expenses	

	5,700.00
<u>Tax Assess</u>	
Other Expenses	1,500.00
<u>Legal Services</u>	
Legal Service SW	16,500.00
Other Expenses	10,000.00
<u>Engineering Services</u>	
Salaries & Wages	
Other Expenses	2,000.00
<u>Plan Bd</u>	
Salaries & Wages	3,000.00
Other Expenses	2,000.00
<u>Zoning Bd of Adjustment</u>	
Salaries & Wages	2,000.00
Other Expenses	5,000.00
<u>Insurance</u>	
Unemployment	
<u>Police Department</u>	
Salaries & Wages	500,000.00
Other Expenses	5,000.00
<u>Police Dispatchers</u>	
Salaries and Wages	8,000.00
Other Expenses	

Office of Emergency Management

Salaries & Wages 2,000.00

Other Expenses 1,000.00

Aid to Vol Fire

Other Expenses 10,000.00

Aid to Vol Ambulance

Salary & Wages

Other Expenses 2,000.00

Fire Department

Salaries & Wages 20,000.00

Other Expense 5,000.00

Municipal Prosecutor

Salary and Wages 4,000.00

Muni Court

Salaries & Wages 30,000.00

Other Expense 3,000.00

Public Defender 2,000.00

Streets & Road Maintenance

Salaries & Wages 200,000.00

Other Expense 10,000.00

Solid Waste Collection 40,000.00

Bldg & Grounds

Other Expenses	10,000.00
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Vehicle Maintenance

Salaries & Wages	20,000.00
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Other Expenses	10,000.00
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<u>Dump Fees</u>	30,000.00
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Board of Health

Salaries & Wages	3,000.00
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Other Expenses m10210+	4,000.00
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Animal Control Services

Other Contractual Services	1,000.00
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Recreation

Salaries & Wages	4,000.00
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Other Expense	10,000.00
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Celebration of Public Events

Other Expenses	3,000.00
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Code Enforcement

Salaries & Wages	20,000.00
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Other Expenses	1,000.00
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Utility Expenses

Electricity	5,000.00
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Street Lighting	10,000.00
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Telephone	
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	5,000.00
Water	500.00
Gasoline	10,000.00

Statutory Expenses

Social Security	50,000.00
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Total General Appropriations For
Municipal Purposes within "CAPS"

H.M.D.C. Tax Sharing	50,000.00
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Reserve for Tax Appeals

Other Expenses

LENGTH OF SERVICE AWARDS

<u>Sewerage Processing & Disposal</u>	200,000.00
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Insurance

Liability Insurance	25,000.00
Workers Compensation	33,000.00
Employee Group Ins	150,000.00

STATUTORY EXPENDITURES

PERS

Police & Fireman's Retirement System	188,946.00
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Interlocal Service Agreements

Bergen County 911	1,250.00
Hasbrouck Heights	

7,000.00

Public and Private Programs Offset by Revenue

Bergen County Forfeited Funds Breath Tester

NJMC -COAH Planning Services

Capital Improvement Fund

Total Appropriations excluding Debt
Service

655,196.00

Down Payment on Improvements

Bond Principal

Interest on Tax Anticipation Notes

25,000.00

Bond Anticipation Note paydown

72,430.00

Interest on Bonds

Interest on Notes BAN

Loan Principal

Loan Interest

Total General Appropriations

752,626.00

Consent Agenda Resolution 2006-03

Date: March 9, 2006

Resolution No. 2006-065 Appoint Maser Consulting P.A. Redevelopment Study

WHEREAS, the Township Committee of the Township of South Hackensack has a need to appoint a municipal planner a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq.; and,

WHEREAS, the purchasing agent has determined and certified in writing that the value of the contract will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS Maser Consulting P.A., 43A Newburgh Road, Suite 100, Hackettstown, NJ, submitted a proposal dated February 9, 2006 to undertake a redevelopment plan for the Township of South Hackensack in accordance with that proposal that has been attached hereto and made a part hereof; and

WHEREAS, Maser Consulting P.A. has completed and submitted a Business Entity Disclosure Certification which certifies that Maser Consulting has not made any reportable contributions to a political or candidate committee in the Township of South Hackensack in the previous one year, and that the contract will prohibit Maser Consulting from making any reportable contributions through the term of the contract, and

WHEREAS, the finance officer has certified that the funds are available for this purpose in a State of New Jersey, Department of Community Affairs, and Smart Future Planning Grant. (Grant No. 05-292-3730)

NOW THEREFORE, BE IT RESOLVED that the Township Committee of the Township of South Hackensack authorizes the Mayor to enter into a contract with Maser Consulting as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution, and

BE IT FURTHER RESOLVED that notification of award of this contract shall be published as required by law.

Consent Agenda Resolution 2006-03

Date: March 09, 2006

Resolution No. 2006-066 Transfer Appropriations (2005 Budget Reserve)

WHEREAS, title 40A: 4-58 of the New Jersey Statutes provides that should it become necessary during the last two months of the fiscal year to spend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefore, and there shall be an excess in any appropriation over and above the amount claimed to be necessary to fulfill the purpose of such appropriation, the Township Committee may by resolution setting forth the facts (adopted by not less than 2/3 vote of the full membership thereof), transfer the amount of such excess of those appropriations deemed to be insufficient.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that the Township Treasurer be and is hereby authorized to make the following transfers in the 2005 Budget Appropriations.

	FROM	TO
OPERATIONS - WITHIN 'CAPS'		
Township Committee – Other Expenses	807.32	
Engineering – Other Expenses	1,000.00	
Board of Adjustment – Other Expenses	989.32	
Code Enforcement – Other Expenses	304.61	

Police – Other Expenses	1,560.42	
Emergency Management – Other Expenses	214.24	
Electric	229.81	
Telephone	3,065.03	
Tax Assessor – Other Expenses		8,170.75
TOTALS	\$8,170.75	8,170.75

Consent Agenda Resolution No. 2006-03
Dated: March 9, 2006

Resolution No. 2006-067 Approve Minutes

BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey that the following minutes be and are hereby approved as submitted.

January 12, 2006 Regular Meeting
February 2, 2006 Worksession Meeting
March 2, 2006 Worksession Meeting

Consent Resolution No. 2006-03
Date: March 9, 2006

Resolution No. 2006-068 Adopting Amendments to the Municipality’s Personnel Policies and Procedures Manual in Accordance with the Requirements Set Forth by the Municipal Excess Liability Joint Insurance Fund (MEL)

WHEREAS the Township of South Hackensack is a member of the Municipal Excess Liability Joint Insurance Fund, hereinafter, the MEL, and

WHEREAS the MEL requires that all member municipalities for 2006 update their previously approved Employment Practices Liability Loss Control Plan that is designed to ensure high standards for employment practices and compliance with federal and state laws and regulations pertaining to such, and

WHEREAS the adoption of the updated manual in addition to the employee and managerial and supervisory training performed by the Fund and the Risk Management Consultant will ensure the Township of South Hackensack maintains the most favorable deductible and co-insurance costs through the MEL and local JIF.

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of South Hackensack, County of Bergen, New Jersey hereby adopts the revisions to the Policies and Procedures Manual and re-affirms the Township of South Hackensack

adherence to a workplace free of harassment and consistent with the high standards expected by the public of public sector employers, and

BE IT FURTHER RESOLVED that the revised policies and procedures have been or will shortly be distributed to all municipal employees, and

BE IT FURTHER RESOLVED that passage of this resolution in addition to the executed Attorney Certification will entitle the Township of South Hackensack to the 2006 rate incentives offered by the MEL for adoption of the revisions and the most favorable deductible and co-insurance requirement offered by the Fund; and

BE IT FURTHER RESOVLED that a certified copy of this resolution shall be forwarded to Professional Insurance Associates, 429 Hackensack Street, P.O. Box 818, Carlstadt, NJ 07072-0818, Risk Management Consultant to the Township of South Hackensack.

Consent Agenda Resolution 2006-03
Date: March 9, 2006

RESOLUTION No. 2006-069 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF SOUTH HACKENSACK, IN THE COUNTY OF BERGEN, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE TOWNSHIP OF SOUTH HACKENSACK AND AUTHORIZING THE MAYOR, TOWNSHIP CLERK, TOWNSHIP TREASURER, CHIEF FINANCIAL OFFICER AND OTHER TOWNSHIP OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$1,479,970 BOND ANTICIPATION NOTE, DATED MARCH 3, 2006 AND PAYABLE MARCH 2, 2007 AS A "QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265(B)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

WHEREAS, the Township of South Hackensack, in the County of Bergen, New Jersey (the "Township") from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Township to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Township intends to issue a \$1,479,970 bond anticipation note, dated March 3, 2006 and payable March 2, 2007 (the "Note"); and

WHEREAS, the Township desires to designate the Note as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Code;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack, in the County of Bergen, New Jersey, as follows:

SECTION 1. The Township Committee hereby covenants on behalf of the Township, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on the Note be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Township Clerk, Township Treasurer, Chief Financial Officer and the other officials of the Township are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code.

SECTION 4. It is hereby determined and stated that said Note (1) is not a "private activity bond" as defined in the Code and (2) the Township and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2006.

SECTION 5. It is further determined and stated that the Township has not, as of the date hereof, issued any tax-exempt obligations (other than the Note) during the calendar year 2006.

SECTION 6. The Township will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, said Township does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Township are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2006 dated as of the date of delivery of the Note.

SECTION 8. This resolution shall take effect immediately upon its adoption.

Resolution No. 2006-070 Authorize Agree Green Street – AJM Contracting Co.

WHEREAS, on February 28, 2006 the Township of South Hackensack received bids from five (5) bidders for roadway improvements to Green Street , the results of which are attached hereto and made a part hereof, and

WHEREAS, Boswell Engineering in a letter dated March 9, 2006, recommended awarding the contract to AJM Contracting Co., in the amount of \$104,695.25, and

WHEREAS, the Township Committee of the Township of South Hackensack is desirous of entering into a contract with AJM Contracting Co. for the Base Bid plus Alternate Bid “C”, and

WHEREAS, the Chief Financial Officer has certified that funds are available,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack, County of Bergen, that the Mayor and Township Clerk be and are hereby authorized and directed to execute an agreement between the Township of South Hackensack and AJM Contractors, for roadway improvements to Green Street in the amount of \$104,695.25.

BE IT FURTHER RESOLVED that the contract award is subject to the approval of the New Jersey Department of Transportation (NJDOT).

Consent Agenda Resolution 2006-03
Dated: March 9, 2006

Resolution No. 2006-071 State Tax Court Appeal Refund Block 3, Lot 23.01 for 2004 and 2005

WHEREAS, the Tax Court of New Jersey has entered a judgment regarding Docket No 001581-2004 and 001612-2005 reducing the 2004 and 2005 assessment from \$2,181,800 to \$1,782,500 on Block 3, Lot 23.01,

WHEREAS, 2004 and 2005 taxes on these properties were paid in full,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of South Hackensack, County of Bergen, that the a refund be issued to McCarter & English LLP Atty for Chippewa Rlty LLC, Four Gateway Center, 100 Mulberry Street, Newark, N.J. 07102-4056 as follows:

2004	\$ 9,942.57
2005	\$10,421.73

Consent Agenda Resolution 2006-03
Date: March 9, 2006

Resolution No. 2006-072 Bills List -- \$2,710,534.75

Resolution No. 2006-073 Authorizing Executive Session

A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12.

Whereas, the Township Committee of the Township of South Hackensack is subject to certain requirements of the *Open Public Meetings Act, N.J.S.A. 10:4-6*, et seq., and

Whereas, the *Open Public Meetings Act, N.J.S.A. 10:4-12*, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

Whereas, it is necessary for the Township Committee of the Township of South Hackensack to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

(1) *Matters Required by Law to be Confidential:* Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

(2) *Matters Where the Release of Information Would Impair the Right to Receive Funds:* Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

(3) *Matters Involving Individual Privacy:* Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

(4) *Matters Relating to Collective Bargaining Agreements:* Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

X (5) *Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds:* Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

(6) *Matters Relating to Public Safety and Property:* Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.

X (7) *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege:* Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

X (8) *Matters Relating to the Employment Relationship*: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

(9) *Matters Relating to the Potential Imposition of a Penalty*: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

Now, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Hackensack, assembled in public session on this date, that an Executive Session closed to the public shall be held in the South Hackensack Township Municipal Complex, 227 Phillips Avenue, South Hackensack, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Resolution No. 2006-074 Licenses –March 2006

WHEREAS the following have made applications and paid a fee for various licenses, and

WHEREAS the Township Committee has no exception to the issuance of these licenses,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of South Hackensack that the following licenses by and are hereby approved unless noted and with conditions as noted.

Fire Licenses:

02/16/06	J. Josephson Inc.	2195	656.00
02/16/06	Tension Envelope	2196	242.00
02/16/06	Hackensack Roofing	2197	35.00
02/22/06	Pat's Grove Auto Repairs Corp.	2199	105.00
02/22/06	Wilfred Mac Donald Inc.	2200	259.50
02/22/09	General Rubber Corp.	2201	138.00
02/22/06	Town Getty Service	2202	35.00
02/23/06	C & D Auto Body Inc.	2203	35.00
02/23/06	Hageman Roofing Co.	2204	35.00
02/28/06	Cromwell Liquors	2209	138.00
03/07/06	C. W. Brarbender Instruments Inc.	2205	173.00
03/06/06	Fontanella's Auto Body Shop	2206	35.00
03/02/06	Tru-Value Electric	2207	138.00
03/02/06	Hamilton Electronic Corp.	2208	35.00

General Licenses:

02/08/06	Salon Interiors	3433	\$100.00
02/27/06	G & J Motors	3434	\$360.00
03/07/06	Troby's Memory Lane	3438	\$360.00
03/07/06	The Light Bulb Store	3439	\$100.00
03/07/06	Airport Motel	3440	\$125.00

Consent Agenda Resolution No. 2006-03

Date: March 9, 2006